

REMARKS/ARGUMENTS

Reconsideration of this Application and entry of this Amendment are respectfully requested. Claims 1 and 11 have been amended.

35 U.S.C. §102 Rejections

Claims 1-8 and 10-13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 96,880 to Bull. Applicant traverses these rejections because Bull fails to disclose all the elements of the claims. Regarding claim 1, Bull fails to disclose

an actuator assembly pivotably mounted in the channel by a pivot coupled to said housing, said actuator assembly having first and second spaced-apart jaws adapted for releasably gripping the shaft, said spaced-apart jaws extending into said channel,

as now required by claim 1, in part. Bull does not teach any element(s) corresponding to an actuator assembly that is pivotably mounted in the channel of a housing using a pivot coupled to the housing. The Examiner has characterized Bull's rack bars A', A' as corresponding to the housing of claim 1. However, nowhere does Bull disclose any kind of pivot or pivotable coupling to rack bars A', A'. Bull teaches two types of pivotable connections: Operating lever G is pivotably connected, not to rack bars A', A', but to lifting bar D by pin *e*. Also, dogs L, L are pivotably connected, not to rack bars A', A', but to operating lever G by fulcrum pins *c*, *c*. See Bull figures 1 and 2, and column 1, paragraphs 8 and 11.

Furthermore, Bull does not teach any elements corresponding to the "first and second spaced-apart jaws adapted for releasably gripping the shaft," as now required by claim 1. The Examiner has characterized Bull's dogs L, L as corresponding to the claimed jaws, and lifting bar D as corresponding to the claimed shaft. However, Bull's dogs L, L do not releasably grip lifting bar D. Rather, dogs L, L releasably engage ratchet teeth along rack bars A', A' (*ibid.*). The only mechanical connection between dogs L, L and lifting bar D is through fulcrum pins *c*, *c* to operating lever G, then from lever G through pin *e* to lifting bar D. Thus, Bull fails to disclose all the elements of claim 1, as amended.

Claims 2-8 and 10 depend directly or indirectly from claim 1 and are patentable for the same reasons argued above with respect to claim 1.

Regarding claim 11, Bull fails to disclose

an actuator assembly pivotably mounted in said housing by a pivot coupled to said housing and having first and second spaced-apart jaws

extending into said channel, said first and second spaced-apart jaws defining an opening therebetween for receiving and releasably gripping said medical shaft,

as now required by claim 11, in part. As argued above with respect to claim 1, Bull does not teach any element corresponding to an actuator assembly that is pivotably mounted in the channel of a housing using a pivot coupled to the housing, nor does Bull teach any elements corresponding to the first and second spaced-apart jaws defining an opening therebetween for receiving and releasably gripping a shaft. Thus, Bull fails to disclose all the elements of claim 16.

Claims 12 and 13 depend directly or indirectly from claim 11 and are patentable for the same reasons argued above with respect to claim 11.

In view of the above arguments, applicant respectfully requests that the rejections of claims 1-8 and 10-13 under 35 U.S.C. § 102(b) be withdrawn.

Conclusion

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. 1.17, or credit any overpayment, to Deposit Account No. 01-2525. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at telephone (978) 739-3075 (Eastern time).

Respectfully submitted,

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